

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

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|-----------------------------|---|---------------------------|
| RADOSLAV DIMITRIC, | § | |
| | § | |
| Plaintiff, | § | |
| | § | |
| v. | § | CIVIL ACTION NO. G-07-247 |
| | § | |
| TEXAS WORKFORCE COMMISSION, | § | |
| <i>et al.</i> , | § | |
| | § | |
| Defendants. | § | |

ORDER

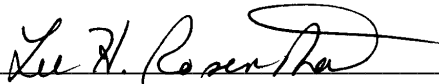
Plaintiff, Radoslav Dimitric, has moved for an order clarifying Magistrate Judge Froeschner's decision filed at Docket Entry No. 160 to grant the defendants' motion to exclude the plaintiff's expert witnesses. Dimitric contends that the reason was a "generic and uninformative statement" and challenges the determination that the five individuals are not experts in their respective fields. (Docket Entry No. 163). Dimitric also objects to Magistrate Judge Froeschner's order on the ground that he never agreed to have the Magistrate Judge "adjudicate this case." (Docket Entry No. 164).

Under 28 U.S.C. § 636(b)(1)(A), with certain exceptions, "a judge may designate a magistrate judge to hear and determine any pretrial matter pending before the court." A district court judge may reconsider a magistrate judge's determination of a pretrial matter "where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A). Dimitric makes no such showing. Moreover, on March 13, 2009, this court determined that, in addition to the grounds relied on by the Magistrate Judge in his order, the motions Dimitric now challenges were moot as a result of the grant of the defendants' summary

judgment motion. Dimitric's motion and his objections are without merit.

The motion for clarification is denied and Dimitric's objection is overruled.

SIGNED on April 3, 2009, at Houston, Texas.



Lee H. Rosenthal
United States District Judge